

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
- - - - -X

UNITED STATES OF AMERICA,  
  
Plaintiff,

**STIPULATION OF VOLUNTARY  
DISMISSAL**

- against -

Civil Action No.  
CV-07-0479

REAL PROPERTY LOCATED AT  
182 71 STREET,  
BROOKLYN, NEW YORK;

(Amon, J.)  
(Pohorelsky, M.J.)

AND ALL PROCEEDS TRACEABLE  
THERE TO,  
  
Defendant.

- - - - -X

WHEREAS, on or about February 9, 2007, the government filed a verified complaint in rem in the United States District Court for the Eastern District of New York seeking forfeiture of the Real Property located at 182 71 Street, Brooklyn, New York (the "Defendant Property") on the grounds that the Defendant Property was used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, a violation of Title 21, United States Code, Section 841(a)(1) in that the building located thereon was used to distribute, or dispense, or possess with intent to distribute or dispense, a controlled substance, and as a result of the foregoing, that the Defendant Property was subject to seizure and forfeiture to the United States, pursuant to Title 21, United States Code, Section 881(a)(7); and

WHEREAS, the Plaintiff's verified complaint in rem was timely served on all potential claimants by duly authorized agents of the United States;

WHEREAS, no one, other than Hamze Chehab ("Chehab"), has asserted any claim to the Defendant Property; and

WHEREAS, Ronald Rubinstein Esq., counsel to Chehab, is duly authorized to represent Chehab and to execute this stipulation as his counsel.

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned as follows:

1. Chehab agrees to the forfeiture of \$23,370 in United States currency which was seized from him on January 11, 2007 in Brooklyn, New York, in the case entitled United States v. Hamze Chehab, 07-CR-163 (SLT) (E.D.N.Y.).

2. In consideration of the above, and contingent upon performance of all terms and conditions herein, the United States agrees to the dismissal of the complaint in rem as to the Defendant Property and agrees to promptly facilitate the release of any and all liens relating to the filing or prosecution of this case.

3. In further consideration of the above, Chehab agrees to release, remise and discharge the plaintiff United States of America and its agencies, agents, officers, and employees, past and present, from all claims or causes of action

which the above-captioned Defendant Property and Chehab ever had, now have, or hereafter may have against plaintiff and its agents, officers, and employees, past and present, for or on account of the incidents or circumstances giving rise to the commencement of the above-captioned action or for any conduct or action in any way connected to the forfeiture of the Defendant Property, or arising from the provisions of the instant stipulation.

4. This Stipulation constitutes the entire agreement between the parties respecting the resolution of this action and may not be modified or amended except by written agreement executed by each of them.

5. Chehab represents that he is the sole owner of the Defendant Property, and thus is fully authorized to execute this Stipulation of Voluntary Dismissal and all other documents necessary to effectuate the dismissal of this action.


6. Chehab waives his rights, if any, to use the instant action or its settlement as a basis for any statutory or constitutional defense, including, without limitation, a defense based upon the double jeopardy provisions of the Fifth Amendment or the Excessive Fines Clause of the Eighth Amendment, and waives any and all rights to seek attorneys' fees and costs, in any pending or subsequent civil, criminal or administrative action.

7. The Clerk of the Court shall forward six certified copies of this Stipulation to the undersigned Special Assistant United States Attorney.

Dated: Brooklyn, New York  
November 19, 2007


BENTON J. CAMPBELL  
United States Attorney  
Eastern District of New York  
One Pierrepont Plaza  
Brooklyn, New York 11201

By:

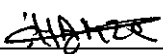
  
\_\_\_\_\_  
Douglas A. Leff  
Special Asst. U.S. Attorney  
(718)-254-6035

United States v. Real Property Located at 182 71 Street,  
Brooklyn, New York, CV-06-6303 (CBA) (VVP)

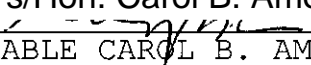
Dated: Brooklyn, New York  
November 17, 2007

  
RONALD RUBINSTEIN, ESQ.  
260 Madison Ave.  
22nd Floor  
New York, New York 10016  
(212)-679-1844

AGREED AND CONSENTED TO IN OPEN COURT:

  
\_\_\_\_\_  
HAMZE CHEHAB

Dated: Brooklyn, New York  
Nov 20, 2007

s/Hon. Carol B. Amon  
  
\_\_\_\_\_  
HONORABLE CAROL B. AMON  
UNITED STATES DISTRICT JUDGE